

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Title of Action: 950 Constitutionality of State Statues

SANDRA L. GADSDEN

Plaintiff

Civil Action No. 2:12-cv-4667(KM)

Vs.

COMPLAINT—ADDITIONAL DISCOVERY TO APPEAL

JERSEY CITY EDUCATION ASSOCIATION, ET AL.,

Defendants

SANDRA L. GADSDEN

P.O.BOX 16628 JERSEY CITY, NEW JERSEY 07306

PARTIES

JERSEY CITY EDUCATION ASSOICATION, ET AL.,

1600 KENNEDY BOULEVARD JERSEY CITY, NEW JERSEY 07305

U.S. DISTRICT COURT
2012 DEC 19 A 11:45

This is a quote from Kevin McNulty, U.S.D.J. "For example, District Court Judge Linares consider Ms. Gadsden employment discrimination claims and found that she failed "to provide any factual basis, whatsoever, in support of her claim of discrimination. "

On this day December 18, 2012 AGAIN I AM PROVIDING SOME OF THE EVIDENCE AS FOLLOWS:

1. 2. LETTERS FROM BON SECOURS & CANTERBURY PARTNERSHIP FOR CARE DATED:
1A--1st letter March 19, 2003 to Ms. Gaston Carpe Diem Institute 199-201 Summit Avenue Jersey City NJ 07306 1B-- 2nd letter June 10, 2003 to Ms. Gaston I am the only person they dealt with about this student. I COMPLAINED NO ONE LISTEN. I ASKED FOR A TRANSFER AFTER THE SECOND YEAR THINGS GOT WORSE FOR ME.
2. 2A-- A copy of a news print out that told what kind of school I worked in at Carpe Diem. I had a room by myself for a year Fraud on the court when either JCEA or JCPS said that I was treated equally there was NO TEACHER ASSISTANCE THAT HAD THEIR OWN CLASSROOM.
3. A copy of a 3A. Envelope that proved that mail did not come to my address correctly. A copy of a 3B. THE COVER OF NEATODAY WHICH PROVES THAT THE UNION KNEW MY ADDRESS P.O.BOX DATED APRIL 2004. 3C. THE COPY OF MY PAY CHECK DATED JUNE 01, 2004 FROM JERSEY CITY PUBLIC SCHOOLS WITH THE P.O.BOX STAMPED. 3D. This letter is from the Jersey City Public Schools Medical Records that was

given to me when I asked for help ? April 4, 2006 ADDRESS TO MS. DEBRA GADSDEN 78 FREMONT STREET APT 604 JERSEY CITY, NJ 07302. I NEVER RECEIVED THIS LETTER AND I BEGGED FOR HELP I WANTED MY JOB.

4. 4A- A COPY OF THE BOARD OF EDUCATION –JERSEY CITY, N.J. APPLICATION FOR LEAVE OF ABSENCE PERSONAL ILLNESS DATED MARCH 7, 2006. TYPE BY MY SUPERVISOR. I RETURN TO WORK ON MARCH 6, 2006 AND WORKED AT THE A. E.S.SCHOOL WITH MY SUPERVISOR. WHY WOULD I SIGN A LEAVE OF ABSENCE PERSONAL ILLNESS WHEN I AM AT WORK? IT WOULD BE FRUAD ON MY PART AND I SAID NO. I WAS ALSO CHARGED FOR DAYS THAT THE JCPS DOCTOR PLACED ME OUT ON MEDICAL LEAVE ? *
5. I was taken out of 1 class on March 13, 2006. My Supervisor told me to give him a doctor note on March 13, 2006. I GAVE MY SUPERVISOR THE DOCTOR 5A. NOTE ON MARCH 14, 2006 I WAS GIVEN 5 NEW CLASSES 5B ON MARCH 17, 2006. I worked with a Quad Cane given to me by JCPS doctor. No one ever took me off of the Quad Cane. Actual Malice
6. This is a print out on how we had to restrain the students at this new school called AES Team School. 6A.
7. May 1, 2006 THIS IS THE COVER LETTER OF THE MEDICAL LEAVE JCPS ON HOW THE JERSEY CITY PUBLIC SCHOOLS WITHHELD MY PAY THROUGHOUT THE YEAR AND IT IS THE LAW THAT ALL TEACHERS AND TEACHERS ASSISTANCE AND TEACHER AIDES ARE PAID UNTILL TERMINATION. §10.2 RIGHT TO BE PAID UNTIL DISMISSAL. 7A.
8. MS. CAROL-ANN NELSON AFFIRMATIVE ACTION INFORMED ME TO WRITE A LETTER TO SUPERINTENDENT OF SCHOOLS AND SUPERVISORS AND TO THE UNION AND OTHERS .
8A. 1. I WAS NOT PAID
2. I SIGN THE MEDICAL LEAVE ON MAY 31, 2006
3. WHAT SCHOOL TO BE TRANSFERED TO DUE TO THE FACT THAT MY SUPERVISOR ETC...

JERSEY CITY EDUCATION ASSOCIATION, ET AL.,

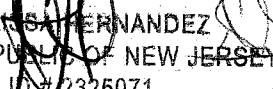
Defendants TOOK AWAY MY RIGHTS AND I HAVE GIVEN THE COURT SYSTEM SO MUCH MORE FACTS THOUGHOUT THE YEARS CHECK THE RECORDS I HAVE GIVEN THE COPIES.

950 CONSTITUTIONAL AND CIVIL RIGHTS

STATE OF NEW JERSEY
COUNTY OF HUDSON

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 19 DAY OF Dec. 2010

S Gadsden

MELISSA HERNANDEZ
NOTARY PUBLIC OF NEW JERSEY
ID # 2325071
MY COMMISSION EXPIRES 2/14/2015

SANDRA L. GADSDEN

P.O.BOX 16628 JERSEY CITY, NEW JERSEY 07306

APPEAL I GAVE THE FIRST APPEAL ON DECEMBER 17, 2012 WITHIN TIME.

Civil Action No. 2:12-cv-4667(KM)

COMPLAINT—ADDITIONAL DISCOVERY

TO APPEAL



SANDRA L. GADSDEN

P.O.BOX 16628 JERSEY CITY, NEW JERSEY 07306

PARTIES

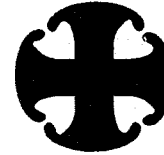
JERSEY CITY EDUCATION ASSOICATION, ET AL,,

1600 KENNEDY BOULEVARD JERSEY CITY, NEW JERSEY 07305



**BON SECOURS & CANTERBURY
PARTNERSHIP FOR CARE**

Christ Hospital



491

March 19, 2003

Ms. Gaston
Carpe Diem Institute
199-201 Summit Avenue
Jersey City NJ 07306

1A

Dear MS. Gaston:

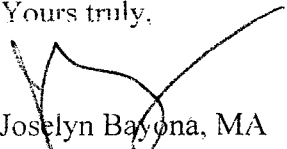
Please be advised that the ***above client was evaluated on March 19, 2003.*** A Biopsychosocial Assessment is conducted to help determine clinical needs. This procedure integrates information gathered from the client, family and referral(s) and is sufficiently comprehensive to determine the most appropriate clinical placement. Based on our evaluation, this **client is being referred to our Early Intervention Program.**

The Early Intervention Program is an educational intervention program designed to educate the adolescent, who is in the beginning stages of substance use, about the affects and consequences of continued substance abuse. **This program is eight to ten weeks in length and meets on Monday and Wednesday at 4:00 -- 5:30 PM and includes urinalysis testing, a minimum of one time weekly.**

is scheduled to begin EIP treatment on March 24, 2003, 4:00 PM at Christ Hospital Giant Step Program, Counseling and Resource Center, 179 Palisade Avenue, Jersey City, NJ.

For further information, please contact Alex Trujillo or Joselyn Bayona at (201) 795-5805.

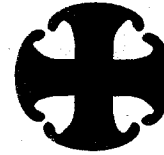
Yours truly,


Joselyn Bayona, MA
Adolescent Services Coordinator
Christ Hospital Adolescent Substance Abuse Program

Cc: File
Parent/Guardian



**BON SECOURS & CANTERBURY
PARTNERSHIP FOR CARE**



Christ Hospital

June 10, 2003

1B

Ms. Gaston
Carpe Diem Institute
199-201 Summit Avenue

Dear Ms. Gaston:

Please be advised that **effective June 9, 2003**, the above named client has been **unsuccessfully discharged from Giant Step's Early Intervention Program due to non-attendance and continued use.**

It is recommended that client attend a more intensive treatment program. Please contact me at (201) 795-5805 if I can be of help in this matter.

Yours truly,

Alex Trujillo
Primary Therapist, EIP
Christ Hospital Adolescent Substance Abuse Program

Cc: File
Parent/Guardian

Carpe Diem last stop for many students

Continued from Page A1

I asked for and received permission to visit the school, accompanied by Kenny and Schools Superintendent Charles Epps Jr.

What I found in the Carpe Diem program were mostly 14-year-olds, four to a class under the supervision of two teachers.

Students I talked to were mostly from the city's Greenville section and graduates of elementary schools 15 and 41. These schools serve predominantly African-American communities.

One student said his teachers in Snyder didn't like him. That's why he is in the Carpe Diem program. Several others said they had trouble at Snyder but are doing better now.

While I was discussing the program with one of the teachers, two students began arguing, exchanging four letter epitaphs. Things quickly escalated into a shoving match.

The teachers and two security guards called in moved in to break up the fight. No one was hurt.

When asked what it's like working at the school, one teacher said, "I didn't know it was going to be like this. We do the best we can, but sometimes it's difficult."

Reinforcing her point, another fight suddenly broke out. Security guards and teachers intervened while the students, cursing, struggled to get at each other.

Both incidents happened in the space of 10 minutes. It's hard to imagine getting through a day in this sort of environment.

Kenny said Carpe Diem is a six-week program. When they leave, the students who succeed in the program will hopefully return to Snyder the following September. But what about those

who do not succeed?

Epps candidly told me Carpe Diem might be the last stop for them.

"We've got runaways here," Epps said. "Some of these kids have already spent time in the Hudson County Youth House. A couple are on probation. They've got problems at home or in some cases they virtually have no home and live on the streets."

"We are making progress with some of our students," said Joseph Gallano, the head teacher who runs the school. During my visit, Gallano had to break off our conversation to help a security guard coax a student into remaining on school grounds.

After touring the grounds, Epps said he is going to add more fencing between the school and the homes on Howard Place, just a few feet from the school property line. He also said he wanted to increase security to the campus.

According to state law, the school system is obligated to educate all students, at least until the age of 18. But is Carpe Diem the answer to dealing with our most troubled youngsters?

Some may wonder whether the Board of Education is doing all it can for these teens, or if Carpe Diem is the right approach. But we must ask ourselves: Who filled these youngsters with such uncontrollable rage? Who or what is responsible for that and what are we going to do about it?

The students in Carpe Diem are there for only five hours each day. The school system is not responsible for what happens to them after, or before that time, when a lot of damage is obviously being done to these children.

Who is going to devise a program or strategy to come to grips with that reality?

2A

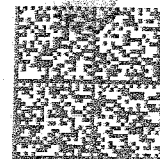
JERSEY CITY PUBLIC SCHOOLS
346 CLAREMONT AVE.
JERSEY CITY, N.J. 07305

3C

63 17
SANDRA GADSDEN
P.O. BOX 16628
JERSEY CITY, NJ 07306

To Open This Side - Slide Finger Under This Edge

T. WASHINGTON APARTMENTS
DEN STREET
CITY, NJ 07302



UNITED STATES POSTAGE
PITNEY BOWES
02 1A \$ 00.37⁰
0004357504 NOV 24 2004
MAILED FROM ZIP CODE 07306

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

F.O.B.

3A

SANDRA GADSDEN
78 FREMONT STREET
APT. 604

☐ A ☐ INSUFFICIENT ADDRESS
☐ C ☐ ATTEMPTED NOT KNOWN
☒ S ☐ NO SUCH NUMBER/ STREET
☒ NOT DELIVERABLE AS ADDRESSED
☐ UNABLE TO FORWARD

☐ OTHER

RTS
RETURN TO SENDER

Looping: creating the multi-year classroom p40

'Under God' and the Pledge of Allegiance p23

Are science fair projects getting out of hand? p43

3B

neatooday

The Magazine of the National Education Association

THE FIX

REPAIR MANUAL
FOR A LAW THAT'S
FALLEN FLAT

ESEA

STOP

NEA

#BXBAKLF ****AUTO** 5-DIGIT 07306

#0004 6426 054H 0316 # EA07306MNJ1

SANDRA L GARDEN P160

PO BOX 16628

JERSEY CITY NJ 07306-0101

3B

802859

CODE: 0004642605



Great Public Schools
for Every Child

05/31/2006 09:08 01

CCMSI

PAGE 13

3D
CCMSI

Medical Records
JCPS

April 04, 2006

* Ms Debra Gadsden
78 Fremont Street - Apt 604
Jersey City, NJ 07302

- never
received

Claim # 06308T458076
Employer: Jersey City Public Schools
D/L: March 28, 2006

Dear Ms Gadsden:

As you are aware, we represent the Jersey City Public Schools for their Self-Funded Workers' Compensation Program.

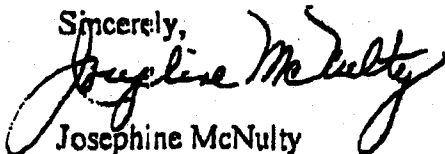
I have been informed by Dr. Wayne Altman, Orthopedist that you would not cooperate and let him examine you on April 04, 2006. Therefore, pursuant to Statue 34:15-19, I must inform you that your workers' compensation benefits are now terminated due to non-compliance with your workers compensation program.

By copy of this letter, I am advising the Jersey City Public Schools that any lost time incurred after 04/03/06 will not be covered under Workers Compensation.

YOU MUST RETURN TO WORK WITHIN 24 HOURS OF RECEIVING THIS LETTER.

If you have any problems, please do not hesitate to contact me.

Sincerely,



Josephine McNulty
Claims Analyst

Cc: Barbara Gallagher/Jersey City Public Schools

Fax 201-451-3959

- This letter is from
the files of JCPS
I never received this
letter with the wrong
name
I asked when and
where will I return
to work
my PO Box is on file

I did not get paid

PRESS HARD

Report to work on 3/6/06

I sign medical leave on 5/31/06

Form M101-A

4A

Board of Education - Jersey City, N.J.
APPLICATION FOR LEAVE OF ABSENCE

No. of Leaves: 1,2,3

PERSONAL ILLNESS

Date March 7, 2006

1. PRINCIPAL/SUPERVISOR

Name of Applicant: Sandra Gadsden

Soc. Sec. No. [REDACTED]

Position: Teacher Assistant

School or Department TEAM Program/Special Ed. Dept. Instructional XX Non-Instructional XX

Leave of Absence granted during the last school year and current school year:

(Give dates, reasons and duration)

School Accident Medical Leave-February 2, 2005 through May 6, 2005; leave resumed May 11, 2005 through February 20, 2006

Number of Days absent in current school year 110 days (Sept. 1, 2005-March 7, 2006)

Number of Days absent in previous school year (Include Personal Business and Leave time) 97.5 days

COMMENT:

PI: Feb. 21,22,23,24,27,28, 2006, March 1,2,3,6,7, 2006

Second set of (Above should pertain to Employees attendance record)

leave papers

Leave Mailed to: Sandra Gadsden
(Name and Address)

78 Fremont Street on April 6, 2006
Jersey City, NJ 07302 (Date)

Signature: [Signature]

(Principal or Supervisor)

MEDICAL DIRECTOR

AP 4/6/06

II. APPLICANT: (Fill in Below)

Soc. Sec. No. [REDACTED] Name (Last) Gadsden First Sandra Initial L
P.O. Box [REDACTED] JC NJ 07306 Phone No. 201 932-4621

Address [REDACTED] City JC State NJ Zip Code 07306

Date of Birth: [REDACTED] Date of Employment 2000 Date Last Worked 3/9/06

1st day of leave 3/9/06 First Date Physician Consulted 3/9/06

Last Date Physician Consulted 6/28/05 Date(s) of Hospitalization 6/28/05

Date of Surgery 6/28/05 Name(s) of Attending Physician(s) Dr. Wayne Altman

Maternity Leave: YES N/A NO XX

Reason for Medical Leave: N/A

I hereby make application for a Medical Leave of Absence during the Period:

From 20 to 20

(Estimate if Necessary)

[Signature]

Applicant's Signature

III. ATTENDING PHYSICIAN (Fill in Below)

I hereby certify that I have examined the above named individual and in my opinion, he/she will be incapacitated for the period of time from 20 to 20

The medical diagnosis of this individual's illness is:

I do not agree with the dates given & wages
deducted due to work related
Sign Name: [Signature]
Print Name: injuries M.D. Date: [REDACTED]
Address: [REDACTED] Telephone: [REDACTED]

I did not get paid

3 leaves received on 5/31/06 m.p.

5A

State of New Jersey
PRESCRIPTION BLANK

STEINBAIM & LEVINE ASSOC.
 VIRGINIA WITT, M.D.

FAMILY PRACTICE
 610 WASHINGTON BOULEVARD
 JERSEY CITY, NJ 07306

201-222-1266 FAX: 201-626-4548

DEA #
 BATCH #TRI060208100528761-8

LIC # 25MA07148000
 SERIAL #

IF PRESCRIPTION IS WRITTEN AT ALTERNATE PRACTICE SITE, CHECK HERE ☐
 AND PRINT ALTERNATE ADDRESS AND TELEPHONE NUMBER ON REVERSE SIDE

PATIENT

Sandra Gadsden

DOB

3/14/06

ADDRESS

Rx

*Sandra Gadsden cannot
 walk excessively esp
 from room to room for
 classes + cannot go
 up + down bus stairs
 due to knee disability*

SUBSTITUTION PERMISSIBLE

DO NOT SUBSTITUTE

DO NOT REFILL

SIGNATURE OF PRESCRIBER

REFILL TIMES

[Signature]

Use separate form for each controlled substance prescription

KEEP, UNAUTHORIZED POSSESSION AND/OR USE OF THIS FORM INCLUDING ALTERATIONS OR FORGERY, ARE CRIMES PUNISHABLE BY LAW

Mail Message

New job duties in this program
after injuries 3/13/06

I was never chosen for
the position of transitional
coach.

Close Forward Reply to Sender Reply All Move Delete Read Later Properties

From: KATHLEEN PRIORE
To: MELODY GONZALEZ, ANN TEDESCHI, CHRISTINE FRANCISCO, ELLEN GLOVER,
JOHN FAHERTY, KATHLEEN CHESKI, AMANDA SICA, MARYANN SILENO,
NICOLE JACKSON, SEAN FALLON, SANDRA GADSDEN, TIFFANY MAGLIULO
CC: VINCENT CASTRO
Date: Monday - March 13, 2006 3:49 PM
Subject: NJASK 3 & 4

Next week our 3rd and 4th graders will report to their home schools to take the NJ ASK 3 or 4
(New Jersey Assessment of Knowledge and Skills). Please note next week's schedule:

PS 29: 3rd Grade- Darius McGeachy

4th Grade- Ajion Carlisle and Tyrell Elliott

Staff to PS 29: Tiffany Magliulo, Nicole Jackson, Ellen Glover,

PS 41: 4th Grade- KaShawn Fuller & Khalil Fair

Staff to PS 41: Christine Francisco & Sandra Gadsden *

PS 8: 4th Grade- Cristian Ortiz

Staff to PS 8: Sean Fallon

PS 9: 3rd Grade- Joseph Arnold

Staff to PS 9: John Faherty

Please remind the students a hot breakfast is served at 8:00 and they walk to the home school
and MUST be there by 8:30. Staff must also sign in by 8:00 AM. Check with Security; at some
schools, you sign in with Security only, at others, you sign in in the Office and at other schools,
you sign in at the Security desk and in the Office. Bring your ID card, too.

The NJ ASK3 is Mon, Tues, and Wed (March 20, 21, 22).

The NJ ASK4 is all week (March 20 through 24). Times and subjects vary each day.

If you have ANY questions, please e-mail me asap. Thanks,
Kathy

New job duties in the AES Team for Sandra Gadsden
on 3/13/06 (after injuries) Program

I was never Chosen for the position of
transitional coach. In the past another teacher
assistant would be pulled from the classroom
that I worked in and did the job of transitional coach.

I stayed with the students in the
past however, once ~~they~~ Mrs P. changed my schedule
I did my job without complaining.

3/17/2006 11:20 AM *

5B

5B



Caution
 Intervention training program. Attempting to learn the techniques from the diagrams may result in injury.



6A

6A

cpi. TRANSPORT POSITION

This position will assist you in safely moving an individual who is beginning to regain control.

Prior to moving an individual, assist the person into a more upright position and remove your hand from the individual's shoulder. Reach under the individual's arm to grab your own wrist. This "cross-grain grip" better secures the individual between staff during transport. Remove your leg from directly in front of the individual prior to transport while maintaining close body contact.

It is not recommended to transport an individual who is struggling. If necessary, return to the CPI Team Control Position if the individual's and/or staff's safety is at risk.

6A



THE JERSEY CITY PUBLIC SCHOOLS
348 CLAREMONT AVENUE
JERSEY CITY, NEW JERSEY 07305
(201) 915-6079



Department of Special Education

Vincent E. Castro
Supervisor

May 1, 2006

Certified mail

7A

Sandra Gadsden
P.O. Box 16628
Jersey City, N.J. 07306

Dear Ms. Sandra Gadsden,

Your leave of absence request is **past due**. If your papers are not returned to the Medical Department with six (6) working days, your paycheck may be withheld.

Very truly yours,

A handwritten signature in black ink, appearing to read "Vincent E. Castro".

Vincent E. Castro
Supervisor

VEC/fc

C: Dr. Charles T. Epps, Jr., State District Superintendent
Mrs. Priscilla H. Petrosky, Associate Superintendent, Special Education Dept.
Mr. Flavio Rubano, Associate Superintendent, Human Resources Dept.
Dr. Hermione McNeil, Executive Assistant, Human Resources Dept.
Kathleen Priore, T.E.A.M. Program
Payroll Dept.
File

*Received
G. Adams 6/7/2006*

8A

June 6, 2006

Sandra L. Gadsden
P.O. Box 16628
Jersey City N, J, 07306

Dear Mr. Larry Small
Medical Representative of
The Jersey City Board Of Education

I am writing this letter for the following reasons:

1. As instructed I signed the Medical Leave papers against my agreement, with the understanding that I will be informed of when I am to return to work. (Mr. Cecchini Union instruction 3-8, thru 5-1, 2006 No Dr information on forms).
2. I was told that after signing the Medical Leave papers that my paychecks will be released. (Letter Mr. V. Castro)
3. I was told to write a letter requesting a transfer, which I did on March 24, 2006 per Mr. Castro requested for my safety. (Given to Mr. Castro, Mr. Cecchini, and Human Resources). I did not know that Human Resources Dept never received the transfer until May 31, 2006. I gave H.R.D. my transfer.

I am still waiting for someone to inform me on when and where I will be returning to work and at what school and my salary to be returned?

If I go back to the school on my own WHAT WILL HAPPEN!

I tried to go back to A.E.S. Team Program just to get some information about my days and was told that "I should not be here if I am on Medical Leave" (Kathleen Priore)

I was following Mr. Bob Cecchini orders to get an account of what days they put in?
June 6, 2006 I am still out of work with no answers is this Justice! EVERYONE KEEPS TELLING ME THEY HAVE NO ANSWERS!

I continue to come back and forth to the Board!

Please explain to me what am I suppose to do stay out or return to work, please release my paychecks therefore, I can support my family.

I do not deserve the stress from being injured at the job just because I was doing my job!

Sincerely,

[Signature]
Sandra L. Gadsden

C: Dr. Charles T. Epps, Jr., State District Superintendent *[Signature]*

Mrs. Priscilla H. Petrosky, Associate Superintendent, Special Education Dept. *A.T.*

[Signature] Mr. Franklin Walker, Associate Superintendent *[Signature]*

[Signature] Mr. Flavio Rubano, Associate Superintendent Human Resources Dept.

[Signature] Dr. Hermione McNeil, Executive Assistant, Human Resources Dept.

[Signature] Mr. Vincent Castro, Supervisor

JCEA (Union) *[Signature]* 6/7/06

[Signature] Mrs. Kathleen Priore, T.E.A.M. Program

Ms. Carol-Ann Nelson Affirmative Action *[Signature]*

Legal Dept *[Signature]*

Please place this letter in my file

JOHN A. BASSO
PO Box 16628
JCNJ 07306

U.S. DISTRICT COURT

2012 DEC 19 A 11:47

United States
District Court
District of New
Jersey Appeals